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An Ideal Model for Combating Child Sexual Violence

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Abstract

Child sexual violence remains a serious challenge in Indonesia despite the existence of various legal instruments, including the 1945 Constitution, the Child Protection Law, and Law Number 12 of 2022 concerning Sexual Violence Crimes. The increasing number of cases indicates that existing legal measures have not been fully effective in preventing and addressing child sexual violence. Previous studies have primarily focused on punishment mechanisms and specific sanctions, while limited attention has been given to the integration of penal and non-penal approaches within a comprehensive criminal policy framework. This study aims to analyze the factors contributing to child sexual violence and formulate an integrated criminal policy model to address this issue. The research employed normative juridical legal research using statutory and conceptual approaches. The analysis was conducted through a qualitative

doctrinal examination of primary and secondary legal materials. The findings revealed that child sexual violence is influenced by multiple factors, including the psychological, moral, and behavioral characteristics of offenders, as well as social, cultural, economic, educational, and technological factors that create conditions conducive to such crimes. The study argues that reliance on penal measures alone is insufficient to provide effective protection for children. An integrated criminal policy combining penal and non-penal approaches is therefore required. This model incorporates law enforcement, child protection mechanisms, family and community participation, educational interventions, and offender rehabilitation. The proposed framework contributes to criminal law policy discourse by offering a more comprehensive strategy for preventing child sexual violence while promoting victim protection, offender rehabilitation, and social reintegration.

KEYWORDS *Child Sexual Violence, Integrated Criminal Policy, Penal and Non-Penal Approaches.*

Introduction

As a vulnerable group, children have the right to protection from all forms of violence, as guaranteed under Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia, Law Number 35 of 2014 on Child Protection, and Law Number 12 of 2022 on Sexual Violence Crimes.¹ Although the regulatory framework has been strengthened, cases of sexual violence against children continue to show alarming trends.² The Indonesian Child Protection Commission recorded a total of 2,031 cases of sexual violence against children throughout 2025.³ This high number indicates that the existing legal approach has not yet been fully able to provide effective protection for children.

The development of information technology, the increasing use of digital media, changes in social structures, and weak supervision of children have also

¹ Wagianti Soetedjo and Melani, *Hukum Pidana Anak* (Bandung: Refika Aditama, 2017), 5.

² Abintoro Prakoso, *Hukum Perlindungan Anak* (Yogyakarta: LaksBang PRESSindo, 2016), 27.

³ Komisi Perlindungan Anak Indonesia (KPAI), Laporan Akhir Tahun 2025 Komisi Perlindungan Anak Indonesia (Jakarta, 2025), Komisi Perlindungan Anak Indonesia.

increased the risk of sexual violence.⁴ This phenomenon demonstrates that sexual violence against children is not merely a legal issue but also a multidimensional social problem.⁵ This complexity can be seen in various cases in Indonesia. The Herry Wirawan case in West Java and the child rape case in Brebes Regency demonstrate the complexity of handling sexual violence against children, including attempts to resolve cases outside the criminal justice process, which contradict the principles of victim protection.⁶ These cases show that sexual violence against children is not only related to the behavior of perpetrators but also involves weaknesses in the protection system, law enforcement, and public awareness.

From a criminal policy perspective, crime prevention can be carried out through both penal and non-penal approaches.⁷ The penal approach focuses on law enforcement and the punishment of offenders, while the non-penal approach emphasizes prevention through education, family strengthening, social supervision, and community empowerment.⁸ Although Indonesia has strengthened penal instruments through Law Number 12 of 2022 on Sexual Violence Crimes, the continuing increase in cases shows that a purely repressive approach is insufficient to address sexual violence against children effectively.

Previous research has generally focused on punishing offenders, applying chemical castration sanctions, protecting victims, and implementing laws related to sexual violence.⁹ Saputra et al. highlight the reformulation of chemical

⁴ Atwirlany Ritonga, Lucky Endrawati, and Ninik Rahayu, "The Role of Service Providers in Protecting Child Victims of Sexual Violence in Online Areas," *Wacana Jurnal Sosial Dan Humaniora* 28, no. 2 (June 17, 2025), <https://doi.org/10.21776/ub.wacana.2025.028.02.06>.

⁵ Y.A. Triana Ohoiwutun, Gio Arjuna Putra, and Vicko Taniady, "Integrating Psychiatric Assessment in Chemical Castration Sanctions for Child Sexual Offenders in Indonesia," *Sriwijaya Law Review*, January 31, 2026, 109–39, <https://doi.org/10.28946/slrev.v10i1.4234>.

⁶ Ayomi Amindoni, "Herry Wirawan, Pemerkosa 13 Santriwati, Diganjar Hukuman Mati Oleh Pengadilan Tinggi Bandung, 'Harta Dan Aset Dirampas,'" BBC Indonesia, 2021, <https://www.bbc.com/indonesia/indonesia-59581586>.

⁷ Titus Adhi Sanjaya, Ramlani Lina Sinaulan, and Mohamad Ismed, "Pendekatan Integral Penal Policy Dan Non Penal Policy Dalam Penanggulangan Kejahatan Anak," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 9, no. 2 (February 12, 2022): 347–62, <https://doi.org/10.15408/sjsbs.v8i6.23241>.

⁸ Saharuddin Daming, "Mengkaji Pidana Kebiri Kimia Dalam Perspektif Medis, Hukum Dan Ham," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 9, no. 1 (July 9, 2020): 22–29, <https://doi.org/10.14421/sh.v9i1.1803>.

⁹ Fanita Aditia, Emilda Firdaus, and Davit Rahmadan, "Reformulation of Chemical Castration Sanctions for Perpetrators of Sexual Crimes in Review from the Relative Theory of Punishment," *Melayunesia Law* 8, no. 2 (September 8, 2025): 146–68, <https://doi.org/10.30652/csdx055>.

castration implementation from the perspective of legal certainty.¹⁰ Sunggara examines chemical castration from medical, legal, and human rights perspectives.¹¹ Meanwhile, Purnomo discusses the importance of integrating penal and non-penal policies in tackling juvenile crime.¹² However, these studies have not specifically formulated a criminal policy model that integrates penal and non-penal approaches to address sexual violence against children.

Based on these conditions, there is a research gap in the formulation of criminal policy that connects prevention, law enforcement, victim protection, offender rehabilitation, and social reintegration into a single integrated framework. Therefore, the novelty of this study lies in developing an integrated criminal policy model that combines penal and non-penal approaches as a comprehensive strategy for addressing sexual violence against children. This study aims to analyze the factors causing sexual violence against children and to formulate an appropriate criminal policy model for tackling this crime in Indonesia.

This study is normative legal research using statutory and conceptual approaches. The legal materials consist of primary legal materials in the form of laws and regulations related to child protection and sexual violence crimes, secondary legal materials in the form of books and scientific articles, and tertiary legal materials in the form of legal dictionaries and encyclopedias. The legal materials were collected through a literature study and analyzed qualitatively using deductive reasoning. The interpretations used include grammatical, systematic, and teleological interpretations to formulate a criminal policy model that integrates penal and non-penal approaches in addressing sexual violence against children in Indonesia.

Factors Causing Sexual Violence Against Children

¹⁰ Rian Saputra et al., “Reconstruction of Chemical Castration Sanctions Implementation Based on the Medical Ethics Code (Comparison with Russia and South Korea),” *Lex Scientia Law Review* 7, no. 1 (May 30, 2023): 61–118, <https://doi.org/10.15294/lesrev.v7i1.64143>.

¹¹ Adystia Sunggara, “Effectiveness of Chemical Castration Sanctions and the Principle of Non-Discrimination: A Human Rights, Islamic Law, and SDGs Perspective,” *Profetika: Jurnal Studi Islam* 26, no. 03 (December 30, 2025): 851–66, <https://doi.org/10.23917/profetika.v26i03.13627>.

¹² Purnomo, “Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?”

A child is defined as a person under the age of 18, including a child still in the womb.¹³ This definition shows that Indonesian law provides broad protection for children from before birth until they reach adulthood.¹⁴ This regulation not only serves as a legal boundary for determining who is entitled to legal protection, but also reflects the state's recognition that children are a vulnerable group requiring special protection from various threats to their survival, growth, and human dignity. In the context of sexual violence against children, this understanding is important because it emphasizes that any act threatening a child's physical, psychological, or sexual integrity constitutes a violation of basic rights guaranteed by law.

Child protection includes all activities aimed at ensuring and safeguarding children and their rights so that they can live, grow, develop, and participate optimally in accordance with their human dignity, while receiving protection from violence and discrimination.¹⁵ This provision shows that child protection is not limited to efforts to provide physical safety, but also includes protection of children's psychological, social, educational, and developmental well-being.¹⁶ Child protection should be understood as a collective responsibility involving the state, families, communities, and all social institutions in creating a safe and supportive environment for children's growth and development. This perspective is relevant because sexual violence against children often occurs due to the failure of these institutions to carry out their protective functions effectively.

Child protection under Law Number 35 of 2014 aligns with the principles of the Convention on the Rights of the Child, particularly the best interests of the child, the right to life and development, and protection from all forms of violence and discrimination.¹⁷ This shows that Indonesia's legal system has adopted international standards in child protection. However, the rising number of sexual violence cases against children indicates that a gap remains

¹³ "Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak" (2014), n. Pasal 1 ayat (1).

¹⁴ Zendy Wulan Ayu Widhi Prameswari, Erni Agustin, and Stefania Arshanty Felicia, "A Review of Indonesian Nationality Law," *Journal of Southeast Asian Human Rights* 7, no. 1 (June 25, 2023): 45, <https://doi.org/10.19184/jseahr.v7i1.35080>.

¹⁵ Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, n. Pasal 1 ayat (2).

¹⁶ Sarah A. Font and Kathryn Maguire-Jack, "It's Not 'Just Poverty': Educational, Social, and Economic Functioning among Young Adults Exposed to Childhood Neglect, Abuse, and Poverty," *Child Abuse & Neglect* 101 (March 2020): 104356, <https://doi.org/10.1016/j.chiabu.2020.104356>.

¹⁷ Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, n. Pasal 2, Pasal 3.

between legal regulation and implementation. Therefore, child protection cannot rely solely on regulation; it also requires effective law enforcement, strengthened social supervision, adequate sexual education, and the integration of penal and non-penal approaches in preventing and addressing sexual violence against children.

The implementation of child protection is not only the responsibility of the government, but also requires the involvement of families, educational institutions, communities, and law enforcement officers.¹⁸ Such protection must be carried out through preventive measures, law enforcement, rehabilitation, psychological support, and the strengthening of a safe social environment for children.¹⁹ Law Number 35 of 2014 not only functions as a legal instrument that guarantees children's rights but also serves as the basis for organizing a comprehensive child protection system. The main purpose of this law is to ensure that children's rights are fulfilled so that they can live, grow, develop, and participate optimally, while also receiving protection from all forms of violence, exploitation, neglect, and discrimination.

Nevertheless, various cases show that children remain vulnerable to violence, including sexual violence.²⁰ This situation reveals a gap between the protection guaranteed in theory and the realities experienced in society. Violence against children does not only occur in public spaces, but can also take place in environments that should provide protection, such as families, schools, and social communities.²¹ Therefore, child protection cannot be understood merely as a matter of legal regulation, but must also be viewed as an issue of implementation, supervision, and social awareness.

Sexual violence is one of the most serious forms of child rights violations because it directly affects a child's physical integrity, psychological condition,

¹⁸ Hariyanto Hariyanto, Ahmad Rezy Meidina, and Mabarroh Azizah, "Decentralization and the Fulfilments of Children's Rights: Challenges and Opportunities for Local Government in Indonesia," *Lex Scientia Law Review* 8, no. 2 (November 30, 2024): 677–706, <https://doi.org/10.15294/lslr.v8i2.14373>.

¹⁹ Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

²⁰ Raden Muhammad Arvy Ilyasa, "Legal and Victimological Perspective on Sexual Violence against Children Cases in Indonesia," *The Indonesian Journal of International Clinical Legal Education* 3, no. 3 (September 30, 2021): 281–300, <https://doi.org/10.15294/ijicle.v3i3.48269>.

²¹ Astha Ramaiya et al., "Understanding How Adolescents Experience Violence and Its Perceived Impacts on Mental Health: A Qualitative Study Across 13 Countries," *Journal of Adolescent Health* 77, no. 3 (September 2025): 428–35, <https://doi.org/10.1016/j.jadohealth.2024.03.006>.

and social development.²² Sexual violence is not always committed through physical force; it can also occur through manipulation, coercion, exploitation, threats, abuse of power, or taking advantage of a child's helplessness.²³ It may take the form of sexual harassment, sexual exploitation, coerced sexual relations, exposure to pornography, or other sexual acts that degrade a child's dignity. These characteristics show that sexual violence against children has complex dimensions and cannot be understood solely as an individual act.

Sexual violence against children can occur in various settings, including homes, schools, religious institutions, communities, and digital spaces that have expanded with the development of information technology.²⁴ Perpetrators are often individuals who have a close relationship with the victim, such as family members, relatives, neighbors, teachers, caregivers, or other individuals who have gained the child's trust.²⁵ Perpetrators may come from various backgrounds, including both educated and uneducated groups. Case findings show that the backgrounds of perpetrators of sexual violence vary, ranging from individuals with no formal schooling to those with higher levels of education. They may include ordinary members of society, educators, officials, and even law enforcement officers. Facts show that sexual assault has also been committed by teachers and government officials.²⁶

These facts indicate that social proximity and power relations often facilitate sexual violence against children. Thus, the high number of child sexual abuse cases does not merely reflect deviant behavior by perpetrators, but also indicates that the systems of supervision, protection, and prevention that should be carried out by families, communities, and the state are not yet functioning optimally. Victims of sexual violence against children may come from all groups regardless of gender, although various studies show that girls are more often victimized than boys.²⁷ However, the vulnerability of boys cannot be

²² Dedisyah Putra et al., "From Conception to Childhood: The Evolution and Significance of Children's Human Rights," *Khazanah Hukum* 7, no. 3 (August 25, 2025): 370–91, <https://doi.org/10.15575/kh.v7i3.44957>.

²³ Valérie Pijlman et al., "'Sometimes It Seems Easier to Push It Away': A Study Into the Barriers to Help-Seeking for Victims of Sexual Violence," *Journal of Interpersonal Violence* 38, no. 11–12 (June 29, 2023): 7530–55, <https://doi.org/10.1177/08862605221147064>.

²⁴ Rika Saraswati, *Hukum Perlindungan Anak Di Indonesia* (Semarang: PT Citra Aditya Bakti, 2015), 26.

²⁵ Janet Ann Fernandez, Joyce Ann Fernandez, and Rafidah Aga Mohd Jaladin, "Beware of the Menacing Monsters around Us: Protecting Malaysian Children from Sexual Abuse," *British Journal of Guidance & Counselling* 51, no. 5 (September 3, 2023): 705–14, <https://doi.org/10.1080/03069885.2021.1938970>.

²⁶ UNICEF. Factsheet about Commercial Sexual Exploitation and Trafficking of Children. Jakarta; 2014

²⁷ Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

ignored because many cases remain unreported due to social stigma, shame, and fear of reporting. This situation shows that sexual abuse against children is a threat that can affect any child and therefore requires equal legal protection regardless of gender.

Sexual violence against children causes not only physical impacts but also psychological, social, and developmental consequences.²⁸ Victims often experience trauma, anxiety, depression, loss of confidence, behavioral problems, and difficulties in social and educational life.²⁹ In many cases, these impacts persist over the long term and affect the victim's quality of life into adulthood. Therefore, sexual violence against children cannot be seen solely as a legal violation, but must also be understood as a human rights violation that hinders children's optimal growth and development.

The severity of these impacts demonstrates the importance of a child protection system that focuses not only on punishing perpetrators but also on supporting victims' recovery.³⁰ In this context, the Convention on the Rights of the Child emphasizes the state's obligation to protect children from all forms of exploitation and sexual violence through effective law enforcement, child-friendly reporting mechanisms, rehabilitation services, and continuous preventive education. Therefore, the success of child protection is not only measured by the severity of penalties imposed on perpetrators but also by the state's ability to prevent sexual violence and restore victims' rights.

The urgency of this protection is reflected in various cases in Indonesia, including the sexual abuse case involving nine children in Mojokerto committed by Aris.³¹ This case shows that sexual violence against children can continue for a long period before being revealed, while also highlighting weaknesses in social monitoring and the child protection system. Therefore, the increase in sexual violence cases against children not only calls for stronger law enforcement but also requires more comprehensive preventive efforts through family

²⁸ Noemí Pereda et al., "An Exploratory Study on Mental Health, Social Problems and Spiritual Damage in Victims of Child Sexual Abuse by Catholic Clergy and Other Perpetrators," *Journal of Child Sexual Abuse* 31, no. 4 (May 19, 2022): 393–411, <https://doi.org/10.1080/10538712.2022.2080142>.

²⁹ Syajaratuddin Faiqah et al., "Emotional Health, Self-Acceptance in Child Victims of Violence and Parental Perception," *Jurnal Promosi Kesehatan Indonesia* 20, no. 4 (December 15, 2025): 333–41, <https://doi.org/10.14710/jpki.20.4.333-341>.

³⁰ Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

³¹ Muhammad Agung Hidayatullah and Eka Juarsa, "Implementasi Sanksi Kebiri Kimia Sebagai Pemberatan Dalam Mencegah Tindak Pidana Kekerasan Seksual Terhadap Anak Ditinjau Dari Perspektif Perlindungan Anak," *Bandung Conference Series: Law Studies* 6, no. 1 (January 26, 2026): 183–90, <https://doi.org/10.29313/bcsls.v6i1.21778>.

strengthening, education, social supervision, and coordination among child protection agencies.

The impact of sexual violence on children is not only felt when the crime occurs but can also last for the long term and affect various aspects of the victim's life.³² Child victims often experience psychological trauma, anxiety, depression, behavioral problems, loss of self-confidence, and difficulty building healthy social relationships.³³ In some cases, these effects can disrupt the educational process, mental development, and a child's ability to adapt to social life.³⁴ Therefore, sexual violence against children not only causes individual harm to victims but also has the potential to hinder human resource development and the quality of future generations.

The magnitude of these impacts shows that child protection cannot focus solely on imposing criminal sanctions on perpetrators.³⁵ Child protection should also include prevention, rehabilitation, psychological recovery for victims, and the strengthening of social protection systems that can minimize the risk of sexual violence.³⁶ In this context, the government, families, communities, educational institutions, and law enforcement officers have interconnected responsibilities in creating a safe environment for children's growth and development. The effectiveness of child protection depends greatly on how well all stakeholders carry out monitoring, prevention, and case handling in an integrated manner.

This principle aligns with the Convention on the Rights of the Child, which affirms every child's right to protection, survival, development, and participation.³⁷ However, continuing cases of sexual violence show that a gap remains between normative guarantees and their implementation. One factor contributing to this situation is weak supervision of children, whether in

³² Sana Ali et al., "Examining the Short and Long-Term Impacts of Child Sexual Abuse: A Review Study," *SN Social Sciences* 4, no. 2 (February 15, 2024): 56, <https://doi.org/10.1007/s43545-024-00852-6>.

³³ Sigrun Sigurdardottir and Sigridur Halldorsdottir, "Persistent Suffering: The Serious Consequences of Sexual Violence against Women and Girls, Their Search for Inner Healing and the Significance of the #MeToo Movement," *International Journal of Environmental Research and Public Health* 18, no. 4 (February 14, 2021): 1849, <https://doi.org/10.3390/ijerph18041849>.

³⁴ Manukrishnan and Krishnamani Bhagabati, "Surviving Childhood Sexual Abuse: A Qualitative Study of the Long-Term Consequences of Childhood Sexual Abuse on Adult Women's Mental Health," *Journal of Psychosexual Health* 5, no. 4 (October 4, 2023): 253–62, <https://doi.org/10.1177/26318318231221948>.

³⁵ Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

³⁶ Manukrishnan and Bhagabati, "Surviving Childhood Sexual Abuse: A Qualitative Study of the Long-Term Consequences of Childhood Sexual Abuse on Adult Women's Mental Health."

³⁷ Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, n. Pasal 2.

families, schools, or communities. In addition, low literacy regarding reproductive health, the development of information technology without adequate supervision, and declining social control in society also create conditions that increase the likelihood of sexual violence against children. This situation shows that addressing sexual violence against children requires policies that do not focus solely on repressive measures but also integrate preventive approaches through education, family strengthening, social supervision, and the improvement of public legal awareness.

The rising number of sexual violence cases against children has encouraged the Indonesian government to strengthen criminal law policies through various regulatory changes aimed at improving protection for children as a vulnerable group.³⁸ One of the policies implemented is the strengthening of criminal sanctions against perpetrators of sexual violence through amendments to the Child Protection Law and the enactment of Law Number 12 of 2022 on Sexual Violence Crimes. This policy shows that the state views sexual violence against children as a serious crime requiring a firm legal response to provide more effective protection for victims and strengthen the deterrent effect against perpetrators.

One form of stricter punishment that has attracted public attention is the use of chemical castration for child sexual abuse offenders.³⁹ This policy emerged from the need to provide stronger protection for children and to respond to growing public demand for stricter law enforcement. However, the effectiveness of an approach that focuses solely on punishment remains debated because it has not fully addressed the factors that lead to sexual violence against children.

From the perspective of Durkheim's social theory, law and criminal punishment function as tools to maintain social order and reaffirm the collective values existing in society.⁴⁰ The imposition of heavier sanctions on perpetrators of sexual violence against children can be seen as the state's effort to protect vulnerable groups while strengthening social norms that reject all forms of

³⁸ Ilyasa, "Legal and Victimological Perspective on Sexual Violence against Children Cases in Indonesia."

³⁹ Muhammad Firdauz Ibnu Pamungkas, Urgensi Pengaturan Dan Penerapan Sanksi Kebiri Kimia Dalam Tindak Pidana Kekerasan Seksual Terhadap Anak, *Jurnal Lex Renaissance* 7, no. 3 (July 1, 2022): 545–58, <https://doi.org/10.20885/JLR.vol7.iss3.art7>.

⁴⁰ John Stewart, "The Crisis of Modern Society: Richard Titmuss and Emile Durkheim," *History of the Human Sciences* 37, no. 1 (February 17, 2024): 47–71, <https://doi.org/10.1177/09526951231169399>.

sexual violence.⁴¹ However, the continued high number of cases shows that tackling sexual violence against children cannot rely solely on a repressive approach through the punishment of perpetrators.

Therefore, addressing sexual violence against children requires a more comprehensive approach through the integration of penal and non-penal policies. In addition to strict law enforcement, preventive efforts are needed, including appropriate sexual education, strengthening family roles, social supervision, community-based child protection, victim rehabilitation, and the improvement of public legal awareness. This integrated approach is important because sexual violence against children is essentially a multidimensional issue influenced by legal, social, cultural, economic, and technological factors. Thus, the effectiveness of criminal policy should not be measured solely by the severity of penalties imposed, but also by its ability to prevent crimes and address their underlying causes.

The ongoing debate on strengthening criminal sanctions against perpetrators of sexual violence against children, including through chemical castration policies, essentially reflects a shift in criminal policy orientation toward prevention and community protection.⁴² This policy was created in response to the rising number of sexual violence cases against children and public demands for stricter law enforcement. From a criminal policy perspective, strengthening criminal penalties is part of a penal approach aimed at deterrence, prevention of recidivism, and reaffirmation of the social norms violated by offenders. However, the effectiveness of an approach focused solely on punishment remains debated because it has not fully addressed the underlying factors that lead to sexual violence against children.

In the reformed legal system, the principle of punishment is no longer solely focused on retribution, but also prioritizes rehabilitation, restoration, and prevention.⁴³ This principle is reflected in the correctional system, which treats

⁴¹ Dian Ety Mayasari, "Imposition of Criminal Sanction Against Sexual Offenders from the Perspective of Child Protection Laws," *Yuridika* 37, no. 1 (March 1, 2022): 1–12, <https://doi.org/10.20473/ydk.v37i1.33513>.

⁴² Didik Purnomo et al., "Community Service Order in Indonesia: Between Alternatives and Transformation in the Reconstruction of the Penal System," *IJCLS (Indonesian Journal of Criminal Law Studies)* 11, no. 1 (2026): 283–316, <https://doi.org/10.15294/ijcls.v11i1.34493>.

⁴³ Ratri Novita Erdianti et al., "Challenging Custodial Dominance: Community Service as a Transformative Penal Model in National Criminal Law Modernization," *Justitia Jurnal Hukum*, 10 (1), 2026 128-147, <https://doi.org/10.30651/justitia.v10i1.29576>

inmates as legal subjects who continue to possess dignity and human rights.⁴⁴ This philosophy shows that offenders are not merely viewed as objects of punishment, but as individuals who require guidance in order to return to fulfilling their social roles responsibly. Therefore, tackling crime is not only a matter of imposing severe penalties, but also of improving behavior and reducing the factors that lead to criminal acts.

This view aligns with Durkheim's social control theory, which sees law as a tool to maintain social integration and strengthen collective values in society.⁴⁵ In the context of sexual violence against children, the role of law is not only to punish perpetrators, but also to create social mechanisms that can help prevent such crimes. The high rate of sexual violence against children shows that this issue is not caused solely by the individual behavior of offenders, but is also influenced by psychological, familial, educational, social, cultural, economic, and technological factors. Therefore, an approach that relies solely on law enforcement cannot fully address the root causes of the problem.

Based on this understanding, addressing sexual violence against children requires criminal policies that integrate penal and non-penal approaches. The penal approach remains necessary to provide legal protection and ensure perpetrator accountability, while the non-penal approach works to address the causes of crime through sexual education, strengthening family functions, social supervision, rehabilitation, and the improvement of public legal awareness. Thus, the effectiveness of criminal policy is not measured merely by the severity of punishment, but also by its ability to prevent sexual violence, protect victims, rehabilitate offenders, and strengthen the child protection system in a sustainable manner.

The philosophy of corrections views punishment not only as a means of imposing penalties, but also as a tool for rehabilitation and social reintegration.⁴⁶ From this perspective, the success of the criminal justice system is not only measured by the severity of punishment, but also by its ability to prevent repeat offenses and encourage behavioral change among offenders. Therefore, tackling crime, including sexual violence against children, should

⁴⁴ Purnomo, Contradiction and Legal Transformation in the Shift of the Correctional System from Retributive to Social Reintegration in Indonesia.

⁴⁵ Barbara J. Costello and John H. Laub, "Social Control Theory: The Legacy of Travis Hirschi's Causes of Delinquency," *Annual Review of Criminology* 3, no. 1 (January 13, 2020): 21–41, <https://doi.org/10.1146/annurev-criminol-011419-041527>.

⁴⁶ Purnomo, "Contradiction and Legal Transformation in the Shift of the Correctional System from Retributive to Social Reintegration in Indonesia."

focus not only on imposing criminal penalties but also on addressing the factors that drive individuals to commit crimes.

This approach aligns with the concept of social supervision, which is normatively accommodated in Law Number 35 of 2014 on Child Protection. Article 20 of the law emphasizes that the state, government, local governments, society, families, and parents or guardians share responsibility for providing child protection. This provision shows that child protection is not only the responsibility of law enforcement officers but also requires the involvement of all elements of society through continuous monitoring and prevention mechanisms.

However, various data released by the Indonesian Child Protection Commission (KPAI) and the National Commission on Violence Against Women show that cases of sexual violence against children continue to increase from year to year. This situation indicates that the existence of regulations has not been fully accompanied by effective implementation. The rising number of cases suggests that the social monitoring function, which forms the basis of child protection, is not functioning optimally in families, schools, communities, or digital spaces.

These facts reveal a gap between legal norms and the reality of their implementation. Although child protection responsibilities are clearly regulated, various obstacles continue to hinder the effectiveness of child protection, including weak family supervision, low public legal awareness, limited sexual education, lack of coordination among institutions, and suboptimal victim protection and rehabilitation services.⁴⁷ Therefore, the increase in cases of sexual violence against children cannot be addressed solely by strengthening criminal penalties, but requires a criminal policy that integrates penal and non-penal approaches through law enforcement, education, family strengthening, social supervision, and comprehensive child protection.

In addition to regulatory factors, the effectiveness of child protection is also influenced by various implementation obstacles. Many cases of sexual violence against children go unreported because victims and their families feel afraid, ashamed, intimidated, or lack trust in the legal process.⁴⁸ Moreover, various child protection programs still face obstacles such as limited resources, a

⁴⁷ Muhammad Agung Hidayatullah and Juarsa, "Implementasi Sanksi Kebiri Kimia Sebagai Pemberatan Dalam Mencegah Tindak Pidana Kekerasan Seksual Terhadap Anak Ditinjau Dari Perspektif Perlindungan Anak."

⁴⁸ Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

shortage of professionals, low levels of public education, and weak supervision and coordination among agencies. This situation shows that comprehensive regulations do not automatically guarantee effective child protection if they are not supported by proper implementation.

From a criminal policy perspective, addressing sexual violence against children cannot rely solely on a penal approach through the strengthening of criminal penalties.⁴⁹ Criminal law should be understood as part of an integrated system, beginning with prevention, law enforcement, victim protection, and rehabilitation, and extending to social reintegration.⁵⁰ Therefore, the effectiveness of child protection is not only determined by the severity of punishment imposed on offenders, but also by the legal system's ability to address the factors causing the crime.

This view aligns with Quinney's theory of the social construction of crime, which emphasizes that the effectiveness of law is strongly influenced by the degree to which legal norms are accepted and internalized in society.⁵¹ Thus, efforts to address sexual violence against children require not only the creation of regulations but also socialization, education, and the strengthening of public legal awareness. Without strong support from legal culture, various child protection policies may face a gap between the norms established in law and what occurs in society.

Viewed from the perspective of psychological factors, uncontrolled sexual urges may lead perpetrators to rape child victims without recognizing or controlling their own condition. Low moral awareness and trauma from having previously been a victim of rape may also increase the likelihood that a former victim will later become a perpetrator of sexual violence.⁵²

Furthermore, educational level, occupation, and socioeconomic status significantly influence how parents supervise their children. Parents with low levels of education and weak economic status often lack an understanding of the importance of supervising their children, resulting in insufficient attention to

⁴⁹ Saputra et al., "Reconstruction of Chemical Castration Sanctions Implementation Based on the Medical Ethics Code (Comparison with Russia and South Korea)."

⁵⁰ Didik Purnomo, Anis Widyawati, and Rasdi Rasdi, "Community Service Order as the Embodiment of Social Justice Values in the Indonesian Penal System," *Pancasila and Law Review* 6, no. 2 (April 27, 2026): 135–50, <https://doi.org/10.25041/plr.v6i2.4908>.

⁵¹ Andrew J. Baranauskas, "Exploring the Social Construction of Crime by Neighborhood: News Coverage of Crime in Boston," *Sociological Focus* 53, no. 2 (April 2, 2020): 156–76, <https://doi.org/10.1080/00380237.2020.1730280>.

⁵² Kayowuan Lewoleba and M. Helmi Fahrozi, "Studi Faktor-Faktor Terjadinya Tindak Kekerasan Seksual Pada Anak-Anak," *Esensi Huk.*, vol. 2, no. 1, pp. 27–48, 2020, doi: 10.35586/esensihukum.v2i1.20.

their children's well-being. Globalization has also had a significant impact on technological and communication developments, including increased exposure to pornography and sexual content. This exposure may increase risky sexual behavior and sexual violence among both victims and perpetrators. Other factors include weak law enforcement, excessively lenient sanctions, and disharmony among laws and regulations, which indicate that structural protection for children remains suboptimal. This reduces the long-term deterrent effect on perpetrators of sexual violence and increases the likelihood of recurrence.⁵³

Based on the study results, the factors causing sexual violence against children can be classified into internal and external factors. Internal factors include psychological, biological, and moral aspects, past trauma, and low self-control among perpetrators. External factors include weak family supervision, limited sexual education, peer influence, exposure to pornography, the development of information technology, economic conditions, weak law enforcement, and the suboptimal implementation of child protection policies. The complexity of these factors shows that sexual violence against children is a multifactorial crime. Therefore, addressing it requires criminal policies that integrate penal and non-penal approaches in a balanced manner. This means that policy should not focus only on punishing offenders, but also on preventing and eliminating the factors that drive sexual violence against children.

An Ideal Model for Addressing Child Sexual Violence

According to Soedarto, criminal policy is part of social policy aimed at protecting society and achieving social welfare through legal means as well as measures outside criminal law.⁵⁴ From this perspective, crime control is not only aimed at imposing sanctions on offenders, but also at addressing the factors that cause crime.⁵⁵ Therefore, criminal policy should be understood as an instrument

⁵³ Tiqi Liana Putri et al, "Analysis Of Risk Factors For Sexual Violence Against Children: A Systematic Review," *Proactia: Jurnal Ilmu Kesehatan Indonesia*, 1(2), 2025

⁵⁴ Barda Nawawi Arief, *Bunga Rampai Kebijakan Hukum Pidana : Perkembangan Penyusunan Konsep KUHP Baru*, Kencana (Jakarta: Kencana, 2017), 3.

⁵⁵ Dey Ravena and Kristian, *Kebijakan Kriminal* (Jakarta: Kencana, 2017), 2.

for enforcing social norms while creating safe and prosperous community conditions.

This view aligns with the results of the 34th International Training Course held by UNAFEI in Tokyo in 1973, which placed social defense as the main goal of criminal policy.⁵⁶ Community protection is not achieved solely through law enforcement, but also through efforts to improve social welfare, quality of life, and citizen safety.⁵⁷ Thus, the success of criminal policy is not only measured by its ability to punish offenders, but also by its ability to prevent crime and reduce the social conditions that lead to violations of the law.

In the context of sexual violence against children, this concept shows that criminal policy cannot rely solely on a penal approach through the punishment of perpetrators.⁵⁸ The high rate of sexual violence against children indicates that strict law enforcement alone is insufficient and must be balanced with non-penal approaches that focus on prevention. Therefore, child protection requires an integrated criminal policy through family strengthening, sexual education, social supervision, victim rehabilitation, improvement of public legal awareness, and effective law enforcement. This integrated approach is important for achieving the main goal of criminal policy, namely protecting society and ensuring sustainable social welfare.

Criminal law policy, or penal policy, is essentially part of criminal policy used by the state to address crime through the creation and enforcement of criminal law.⁵⁹ From this perspective, criminal law not only functions to determine prohibited acts and penalties for offenders but also serves as a tool to protect society, maintain social order, and prevent crime. Therefore, the drafting of criminal legislation must be able to meet the needs of society and adapt to changing forms and characteristics of crime.

As part of criminal policy, criminal law policy cannot be separated from broader objectives, namely protecting society and achieving social welfare.⁶⁰

⁵⁶ Arief, *Bunga Rampai Kebijakan Hukum Pidana : Perkembangan Penyusunan Konsep KUHP Baru*, 4.

⁵⁷ Didik Purnomo and Bagus Hendradi Kusuma, "Reconstructing the Purpose of Sentencing: Rethinking the Effectiveness of Imprisonment in the Contemporary Legal System," *TATOHI: Jurnal Ilmu Hukum* 5, no. 10 (December 31, 2025): 484, <https://doi.org/10.47268/tatohi.v5i10.3588>.

⁵⁸ Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

⁵⁹ I Dewa Made Suartha, "Criminal Policy Formulation on Regulation of Death Penalties for Criminal Actors," *Journal of Morality and Legal Culture* 1, no. 1 (July 30, 2020): 12, <https://doi.org/10.20961/jmail.v1i1.44743>.

⁶⁰ Olif Skear Prabasini, "Legal Protection for Children in Conflict with the Law: Process and Problems," *The Indonesian Journal of International Clinical Legal Education* 3, no. 3 (September 30, 2021): 381–98, <https://doi.org/10.15294/ijicle.v3i3.48264>.

Thus, the effectiveness of criminal law is not only measured by its ability to punish offenders, but also by its ability to prevent crime and reduce the underlying factors that lead to criminal acts. In the context of sexual violence against children, an approach that focuses solely on punishing offenders is insufficient to provide optimal protection because these crimes are influenced by various psychological, social, cultural, economic, and environmental factors.

On this basis, criminal law policy in addressing sexual violence against children should be positioned as part of a comprehensive criminal policy.⁶¹ Strengthening criminal penalties remains necessary to provide legal protection for children, ensure perpetrator accountability, and enforce violated legal norms.⁶² However, the high rate of sexual violence against children shows that approaches focused solely on punishment have not been able to fully resolve the problem. This condition indicates that sexual violence against children is not merely a legal issue, but is also related to psychological, familial, educational, social, cultural, and technological factors.

From the perspective of criminal policy, criminal law has both preventive and repressive functions.⁶³ The repressive function is carried out by imposing sanctions on offenders after a crime has occurred, while the preventive function aims to prevent crimes through the existence of rules and the threat of punishment.⁶⁴ However, the effectiveness of the preventive function of criminal law depends heavily on the support of social policies that can address the factors causing crime.⁶⁵ Therefore, preventing sexual violence against children cannot rely solely on law enforcement, but also requires interventions that address the root causes of such crimes.

Thus, controlling sexual violence against children requires the integration of penal and non-penal approaches. The penal approach functions to provide legal protection and enforce norms, while the non-penal approach focuses on strengthening families, providing sexual education, improving digital literacy, conducting social supervision, supporting victim rehabilitation, and increasing

⁶¹ Fanita Aditia, Emilda Firdaus, and Davit Rahmadan, "Reformulation of Chemical Castration Sanctions for Perpetrators of Sexual Crimes in Review from the Relative Theory of Punishment."

⁶² Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

⁶³ Purnomo, "Contradiction and Legal Transformation in the Shift of the Correctional System from Retributive to Social Reintegration in Indonesia."

⁶⁴ Suramin Suramin, "Indonesian Anti-Corruption Law Enforcement: Current Problems and Challenges," *Journal of Law and Legal Reform* 2, no. 2 (April 30, 2021): 225–42, <https://doi.org/10.15294/jllr.v2i2.46612>.

⁶⁵ Soerjono Soekanto, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum* (Jakarta: PT. Raja Grafindo Persada, 2008).

public legal awareness. Integrating both approaches is important because the goal of criminal policy is not only to punish offenders, but also to reduce the factors that cause crime and build an effective, sustainable, and prevention-oriented child protection system.

In the modern criminal justice system, criminal law policy does not function solely as a tool of punishment, but also as a means to achieve security, justice, social order, and public welfare.⁶⁶ Therefore, the effectiveness of criminal law is not only determined by the severity of penalties imposed on offenders, but also by its ability to prevent crime and protect the community. In the context of sexual violence against children, this goal becomes even more important because the impact of the crime is experienced not only by victims but also by families, social environments, and future generations.

Muladi emphasizes that criminal policy does not only cover the criminal justice system, but also includes efforts to prevent crime outside punishment mechanisms.⁶⁷ This view shows that addressing crime requires a balance between a repressive approach through law enforcement and a preventive approach focused on community protection.⁶⁸ In line with this, Arief explains that crime prevention can be carried out through the application of criminal law, non-criminal prevention, and the improvement of public awareness of law and crime.⁶⁹ Thus, criminal policy is essentially not only focused on punishing offenders, but also on eliminating the factors that drive crime.

In the context of sexual violence against children, a penal approach remains necessary to provide legal protection and ensure perpetrator accountability. However, the high number of cases that continue to occur shows that a purely repressive approach has not been able to address this crime effectively. Therefore, efforts to address it must be complemented by non-penal approaches that target the underlying causes of crime, such as weak family supervision, limited sexual education, exposure to pornography, social environmental influences, and low public awareness of child protection. The integration of penal and non-penal approaches is important because it enables

⁶⁶ Purnomo, Widyawati, and Rasdi, "Community Service Order as the Embodiment of Social Justice Values in the Indonesian Penal System."

⁶⁷ Muladi, *Hak Asasi Manusia, Politik Dan Sistem Peradilan Pidana* (Semarang: Badan Penerbit Universitas Diponegoro, 2002), 96.

⁶⁸ Purnomo et al., "Community Service Order in Indonesia: Between Alternatives and Transformation in the Reconstruction of the Penal System."

⁶⁹ Barda Nawawi Arief, *Kebijakan Hukum Pidana Perkembangan Penyusunan Konsep KUHP Baru* (Jakarta: Prenada Media, 2008).

criminal policy not only to punish offenders, but also to prevent sexual violence against children in a sustainable manner.

Law Number 35 of 2014 on Child Protection, Law Number 17 of 2016 on the Stipulation of Government Regulation in Lieu of Law Number 1 of 2016, Law Number 12 of 2022 on Sexual Violence Crimes, and the Criminal Code have provided relatively strong legal instruments for addressing sexual violence against children.⁷⁰ These regulations not only establish heavier prison sentences and fines, but also include additional penalties such as chemical castration, electronic monitoring, and rehabilitation for offenders. The strengthening of these sanctions demonstrates the state's commitment to providing greater protection for children as a vulnerable group while enhancing the deterrent effect against sexual crimes.

However, increasing criminal penalties does not automatically reduce child sexual violence. Various cases in Bandung, Brebes, Batang, and several other regions show that child sexual abuse still occurs despite the strengthened legal framework. This situation indicates that the effectiveness of penal policy is not determined solely by the severity of sanctions, but also by the legal system's ability to prevent crimes before they occur.

Criminal policy and the continued occurrence of sexual violence against children show that non-legal factors have not been properly addressed. Weak family supervision, limited sexual education, exposure to pornography, developments in information technology, lack of public awareness in reporting cases, and suboptimal coordination among child protection agencies are all factors that contribute to the high rate of sexual violence against children. Therefore, this issue cannot be resolved solely through a punitive approach focused on punishing offenders.

These facts show that the penal approach has limitations when it is not supported by a non-penal approach focused on prevention. Therefore, tackling sexual violence against children requires more comprehensive criminal policies through a combination of law enforcement, sexual education, strengthening family functions, social supervision, victim rehabilitation, and increased community participation. Such an integrated approach is important for addressing the root causes of crime while sustainably strengthening the child protection system.

⁷⁰ Muhammad Agung Hidayatullah and Juarsa, "Implementasi Sanksi Kebiri Kimia Sebagai Pemberatan Dalam Mencegah Tindak Pidana Kekerasan Seksual Terhadap Anak Ditinjau Dari Perspektif Perlindungan Anak."

This condition shows that sexual violence against children cannot be viewed merely as a legal violation, but rather as a multidimensional problem influenced by various interconnected factors.⁷¹ The psychological condition of offenders, weak family supervision, exposure to pornography, limited sexual education, economic pressure, the development of information technology, and declining social control in society are among the factors contributing to sexual violence against children.⁷² The complexity of these factors shows that severe criminal penalties do not always prevent crimes from occurring if the root causes behind them are not addressed systematically.

In addition, the persistently high number of sexual violence cases against children indicates a gap between legal policies and their implementation in practice.⁷³ Various obstacles, such as low case reporting rates, stigma against victims, limited protection and rehabilitation services, weak coordination among agencies, and suboptimal law enforcement, also affect the effectiveness of child protection. As a result, heavy criminal penalties often do not produce an optimal preventive effect because the risk of perpetrators being detected, reported, and legally processed remains relatively low.

These facts show that the penal approach has limitations if applied independently. Therefore, addressing sexual violence against children requires criminal policies that integrate penal and non-penal approaches. The penal approach remains necessary to ensure legal certainty, protect victims, and hold offenders accountable, while the non-penal approach focuses on prevention through sexual education, family strengthening, digital literacy improvement, social supervision, victim rehabilitation, and public legal awareness. The integration of both approaches is important because it not only focuses on punishing offenders but also on eliminating the factors that cause crime and strengthening the child protection system in a sustainable manner.

⁷¹ Wahidah Zein Br Siregar and Ella Syafputri Prihatini, "Passing the Sexual Violence Crime Law in Indonesia: Reflection of a Gender-Sensitive Parliament?," *Politics and Governance* 12 (August 20, 2024), <https://doi.org/10.17645/pag.8245>.

⁷² Dwi Dasa Suryantoro, "Perilaku Kekerasan Terhadap Anak Dalam Perspektif Hukum Keluarga Islam: Analisis Faktor Penyebab, Dampak Psikologis, Dan Upaya Penanggulangan," *Mabahits: Jurnal Hukum Keluarga Islam* 6, no. 02 (December 2, 2025): 138–50, <https://doi.org/10.62097/mabahits.v6i02.2508>.

⁷³ Ibnu Pamungkas, "Urgensi Pengaturan Dan Penerapan Sanksi Kebiri Kimia Dalam Tindak Pidana Kekerasan Seksual Terhadap Anak."

Crime prevention through a non-penal approach focuses on preventive efforts aimed at reducing the factors that cause crime before the act occurs.⁷⁴ Unlike the penal approach, which operates after a crime has occurred through law enforcement and punishment, the non-penal approach focuses on strengthening social conditions that can reduce the risk of criminal behavior. Therefore, the non-penal approach holds a strategic position in criminal policy because it seeks to address the root causes that lead to crime.

From the perspectives of Hoefnagels and Soedarto, crime prevention without punishment can be carried out through various social policies, such as improving the quality of education, strengthening family functions, mentoring young people, providing moral and religious education, delivering mental health services, and increasing community welfare.⁷⁵ This approach is based on the assumption that crime is often influenced by social, psychological, economic, and environmental factors that cannot be resolved solely by imposing criminal penalties. Thus, the effectiveness of crime prevention depends greatly on the ability of the state and society to create a social environment that supports healthy and responsible individual development.

However, various cases of sexual violence against children show that non-penal approaches also have limitations when applied partially.⁷⁶ Some perpetrators come from environments that are socially and morally regarded as respectable, including community leaders, educators, and religious figures. This situation shows that the causes of sexual violence against children cannot be explained solely by weak education or low social morality, but are also related to psychological factors, abuse of power relations, lack of self-control, and opportunities to commit crimes. In other words, both penal and non-penal approaches have limitations when applied separately in addressing sexual violence against children.

On this basis, addressing sexual violence against children requires an integrated criminal policy model. The penal approach is needed to provide legal protection, ensure perpetrator accountability, and reinforce the enforcement of norms, while the non-penal approach is needed to address the root causes of crime through sexual education, family strengthening, social supervision,

⁷⁴ Cici Riski Sufi Amalia et al., "Non-Penal Policy In Tackling Cyber-Bullying Through Integrated Cyber-Prevention," *JURNAL LEGALITAS* 17, no. 1 (April 29, 2024): 38–48, <https://doi.org/10.33756/jelta.v17i1.24900>.

⁷⁵ Sudarto Sudarto, *Kapita Selektta Hukum Pidana* (Bandung: Alumni, 2010), 114.

⁷⁶ Purnomo, "Justice Dilemma: Prison for Child Offenders or Recovery for Victims of Sexual Violence in Jepara?"

mental health services, and the improvement of public legal awareness. Integrating both approaches is important because sexual violence against children is a multifactorial crime that cannot be resolved solely through punishment or social prevention.

The main goal of criminal policy is to provide protection to society through efforts to prevent and tackle crime.⁷⁷ In this context, criminal policy is not only carried out through the enforcement of criminal law, but also through various social policies aimed at reducing the factors that cause crime. Therefore, addressing sexual violence against children should be understood as part of broader efforts to protect society, requiring the involvement of various legal and social instruments in an integrated manner.

In practice, criminal policy can be implemented through penal and non-penal approaches. The penal approach is carried out through law enforcement and the imposition of criminal sanctions on offenders as a form of legal protection and enforcement of violated norms. Meanwhile, the non-penal approach focuses on prevention through education, family strengthening, social supervision, community welfare improvement, rehabilitation, and various other social policies aimed at reducing the factors that drive criminal activity. Both approaches have different functions but complement each other in achieving the goal of community protection.

In the context of sexual violence against children, the criminal justice approach has limitations because it operates only after the crime has occurred. Although strengthening criminal penalties is important to provide law enforcement effects and ensure perpetrator accountability, this approach does not directly eliminate the factors that cause crime. Various studies show that sexual violence against children is influenced by psychological, familial, educational, social, cultural, economic, and technological factors. These factors are beyond the reach of criminal law alone and therefore require intervention through broader social policies.

On this basis, addressing sexual violence against children requires an integrated approach that combines penal and non-penal policies. The penal approach is needed to ensure legal certainty, protect victims, and enforce norms, while the non-penal approach is necessary to prevent crime through sexual education, family strengthening, social supervision, rehabilitation, digital literacy, and the improvement of public legal awareness. Integrating these two

⁷⁷ Arief, *Bunga Rampai Kebijakan Hukum Pidana : Perkembangan Penyusunan Konsep KUHP Baru*, 4.

approaches is important because it enables criminal policy not only to punish offenders, but also to address the factors that cause crime and build a more effective and sustainable child protection system.

Conclusion

This study shows that sexual violence against children is a multifactorial crime influenced by both internal and external factors. Internal factors include psychological, biological, and moral aspects, past trauma, and low self-control among perpetrators, while external factors include weak family supervision, limited sexual education, exposure to pornography, social environmental influences, economic conditions, advances in information technology, and the suboptimal implementation of child protection policies. The study also finds that strengthening criminal penalties through various regulations has not been fully effective in reducing sexual violence against children because the penal approach operates only after the crime occurs and has not been able to address its root causes. Therefore, this study offers an Integrated Criminal Policy model as a more comprehensive approach to tackling sexual violence against children by integrating penal and non-penal approaches. The penal approach is needed to ensure legal certainty, victim protection, and perpetrator accountability, while the non-penal approach focuses on sexual education, family strengthening, digital literacy improvement, social supervision, rehabilitation, and the improvement of public legal awareness. Thus, addressing sexual violence against children is not merely about punishing perpetrators, but also about preventing and eliminating the factors that cause the crime in order to create a more effective, sustainable, and just child protection system.

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